

THURSDAY, FEBRUARY 11, 1993

SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Tom Wallace, Franklin Road Baptist Church, Murfreesboro, Tennessee.

Representative Liles led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Napier; to attend the National Association of Conservation Districts Annual meeting in Orlando, Florida.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

PRESENT IN CHAMBER

Rep. Bragg was recorded as being present in the Chamber.

REGULAR CALENDAR

House Bill No. 0006 -- Statutes -- Codifies Public Acts of 1992.

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On motion, House Bill No. 6 was made to conform with Senate Bill No. 1, the Senate Bill, on the same subject, was substituted for the House Bill No. 6.

Rep. Purcell moved that Senate Bill No. 1 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

Rep. Purcell requested to approach the well to present the Report of the Select Committee on Rules.

The Speaker recognized the Chief Clerk to explain the changes in the rules.

Rep. Purcell moved the adoption of the Rules Committee Report as amendments to the Temporary Rules of the House of Representatives of the 98th General Assembly which were spread on the Journal Monday, February 8, 1993. He further moved that, upon the adoption of this report, the Temporary Rules, as amended, be made the Permanent Rules of the House of Representatives of the 98th General Assembly, which motion prevailed by the following vote:

Ayes.	91
Noes.	7

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis,

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Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Allen, Coffey, Halteman Harwell, Ramsey, Shirley, Stamps, Wood -- 7.

The rules which were adopted follow:

RULES OF ORDER
of the
HOUSE OF REPRESENTATIVES
State of Tennessee
Ninety-eighth General Assembly

1. SPEAKER TO CONVENE HOUSE. At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present.

2. SPEAKER TO PRESERVE ORDER. The Speaker shall preserve order and decorum and may speak to points of order in preference to other members. The Speaker will have the authority to set the guidelines for decorum.

3. OTHER DUTIES OF SPEAKER. The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

4. ORDER IN GALLERY OR LOBBY. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.

5. FORMS OF QUESTIONS. Questions shall be put directly in this form: "Representatives in favor of (then state the proposition) say 'Aye' and, after the affirmative will be expressed, "Representatives who are opposed, say 'No'." If the Speaker doubt, or a roll call be requested, as provided in Rule 29, a roll call vote shall be taken.

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6. SPEAKER TO APPOINT COMMITTEES. The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules.

7. SPEAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair, one (1) vice-chair, and one (1) secretary for each of the standing committees and for the Committee on Calendar and Rules. Any officer of any committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the House.

8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for a period not to exceed one (1) legislative day. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

9. CHIEF CLERK. There shall be a Chief Clerk of the House of Representatives who shall be appointed by the Speaker and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between sessions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or rules of the House, both during and between sessions. The Chief Clerk shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and faithfully discharge the duties of the office to the best of such clerk's knowledge and ability.

10. APPOINTMENT OF HOUSE OFFICERS. The Speaker shall appoint such employees as clerks, sergeant-at-arms, pages, and other House employees as are necessary for the proper transaction of the business of the House.

11. VOTES REQUIRED FOR CHOICE. In all votes other than those specifically provided for herein, a majority of those present and

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voting shall be necessary to a choice.

12. ORDER OF BUSINESS. The reading of the daily Journal for the preceding day shall not be required; provided, however, that upon appropriate motions, the House may direct that the same be read. Any corrections in the Journal shall be suggested by individual members under the order of Unfinished Business.

After appropriate opening ceremonies, the Speaker shall call for the following:

- (1) Roll Call
- (2) Personal Orders
- (3) Introduction of Resolutions
- (4) Senate Joint Resolutions
(Congratulatory, Memorializing)
- (5) Resolutions Lying Over
- (6) Introduction of Bills
- (7) Senate Bills on First
Consideration
- (8) Senate Bills on Second
Consideration
- (9) House Bills on Second
Consideration
- (10) Petitions and Memorials
- (11) Reports from Standing Committees
- (12) Reports from Select Committees
- (13) Calendars
- (14) Unfinished Business
- (15) Announcements
- (16) Roll Call

13. SPECIAL ORDER. It shall require an affirmative vote by two-thirds (2/3) of the members to which the House is entitled under the Constitution to set a special order of business; however, when a motion has been made to set for a special order any bill, resolution, or motion, the motion having failed for lack of a two-thirds majority but having received a majority vote of the members of the House present, it shall be in order, upon the demand of five (5) members of the House, for the Committee on Calendar and Rules to meet and report for the adoption or rejection by a majority vote of the House a rule or order fixing a time for the consideration of said bill or measure. It shall require a majority vote of the members of the House to postpone any special order set.

14. NUMBER OF SPECIAL ORDERS PERMISSIBLE WITHOUT RE-REFERRAL. After a bill has been scheduled for third consideration, the sponsor of any bill or resolution may before the House request another date for third consideration, and the bill or resolution shall be so scheduled, however, the sponsor of any bill or resolution shall only have the right to make such a request three (3) times on any particular bill or resolution. If the House does not consider the bill or resolution on or before the fourth such scheduled time, the bill or resolution shall be automatically re-referred to the Committee on Calendar and Rules.

15. **PETITIONS AND MEMORIALS - BRIEF STATEMENT.** Before any petition or memorial addressed to the House shall be received and read at the table, a brief statement of the contents of the petition or memorial shall be filed with the Chief Clerk.

16. **SYSTEM ENTRY CODE.** Before any bill or resolution can be accepted by the Chief Clerk for the purpose of pre-filing and assigning a number, or any committee amendment or any other amendment in the first degree can be accepted for the purpose of attaching it to a bill, the document in question shall have a system entry code affixed thereto by the Office of Legal Services.

17. **RESOLUTIONS.** Resolutions shall be pre-filed with the Office of the Chief Clerk by 4:00 p.m. for introduction the following day and referral to the appropriate standing committee. However, all congratulatory and memorializing resolutions shall automatically be introduced the day of filing or the first legislative day thereafter and placed on the next Consent Calendar in accordance with Rule No. 50.

Joint resolutions calling for joint conventions shall be referred by the Speaker to a committee consisting of the Speaker, the Majority Leader and the Minority Leader for immediate consideration. The committee shall report its recommendations concerning the proposed joint convention to the House.

18. **DUTIES OF MEMBERS TOWARD SPEAKER.** No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. **TRANSGRESSION OF RULES BY MEMBER.** Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case without debate. If there be no appeal, the decision of the Chair shall prevail. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House. If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

20. **ATTENDANCE OF MEMBERS REQUIRED.** No member shall be absent from service in the House without leave first obtained; and in case

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a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be rendered as the House, when a quorum is convened, shall deem sufficient.

21. TIME LIMITS OF DEBATE. Each member shall be limited to fifteen (15) minutes in such member's opening remarks and shall be limited to ten (10) minutes in rejoinder in discussion upon the floor of the House, EXCEPT by a majority of the members present, the House may increase or decrease the limitations of time herein set out for debate on a particular bill, resolution or motion.

22. PERSONS ADMITTED ON FLOOR OF HOUSE. The Sergeant-at-Arms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the Senate, employees of the Office of Legislative Services, employees of the Office of Legal Services employees of the Office of Management Information Systems, Fiscal Review Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the chair of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and spectators shall have access to the gallery so long as they preserve order.

23. EVERY MOTION MUST BE SECONDED. Every motion must be seconded by some member of the House other than the proponent of the motion and upon failure of a second, the Speaker shall declare the motion failed for lack of a second.

24. MOTION REDUCED TO WRITING. The Speaker may require any motion to be reduced to writing and placed on the desk of the Clerk.

25. WHAT MOTION DEBATABLE. All motions shall be subject to debate except the following motions:

- (1) To adjourn
- (2) Lay on the table
- (3) For the previous question

Provided, however, the proponent of any motion sought to be tabled shall have the right to be heard after the motion to table is made and before said motion to table is put to vote.

26. PRECEDENCE OF MOTIONS. When any question or motion is under debate in the House, the following motions only shall be in order and may be entertained by the Speaker:

- (1) To adjourn
- (2) To lay on the table
- (3) For the previous question
- (4) To postpone to a day certain

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- (5) To commit or recommit
- (6) To amend

Each of said motions shall take precedence in the order set out herein.

27. NO MOTION TO ADJOURN UNTIL FURTHER BUSINESS. When a motion to adjourn shall have been made and failed, the Speaker shall not entertain another motion to adjourn until some business has been transacted since the last motion to adjourn was voted upon.

28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights, reputation and conduct of the member in such member's official capacity, and shall not address remarks to any question germane to substantive matters being considered.

29. DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "No" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.

30. EXPLANATION OF VOTE. Any member may have written into the Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form.

31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any member not voting at the time the roll call was taken, or any member

voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.

32. APPEALS TO HOUSE ON RULINGS OF SPEAKER. Any five (5) members of the House may appeal to the House from the ruling of the Speaker and a majority vote of the members present shall decide the appeal.

No member shall speak more than twice on the appeal except with the permission of the majority of the members present.

33. WHO MAY ADDRESS SPEAKER. No one may address the Speaker except a member of the House.

34. DIVISION OF QUESTION IN DEBATE. If the question in debate contains several points, any member may have the same divided; but no bill shall be divided on third and final consideration.

35. OTHER PAPERS. When the reading of a paper is called for and the same is objected to by any member, it shall be decided by a vote of the House without debate. Distribution of other papers to the desks of the members can only be accomplished upon request of a member of the House and must reflect the name of the requesting member.

36. PREVIOUS QUESTION. The previous question shall only be admitted when demanded by two-thirds (2/3) of the members present. It may be applied to the main question, the main question and amendment, or to the main question and amendment to the amendment. If the question prevails on the main motion, its effect shall be to preclude all future amendments and terminate all debate. The proponent of the motion, amendment, resolution or bill shall have the right to close the debate thereon, and no call for the previous question shall cut off this right. However, when the demand for the previous question has been made and rejected under the foregoing provision but received a majority vote of the members of the House, it shall be in order, upon the demand of any five (5) members of the House, for the Committee on Calendar and Rules to meet and fix or limit the time in which debate on said question shall be closed, which decision shall be binding upon all membership of the House.

37. TABLED MOTION - HOW REMOVED, ETC. When any bill, resolution, or motion is laid on the table by a vote of the House, it shall require a two-thirds (2/3) vote of those members present to take it from the table; but it shall require only a majority of the votes (a quorum being present) to lift from the table a vote rejecting a bill, resolution, or a motion.

38. BILLS DISPLACED BY SUBSTITUTION TABLED. When a bill has been substituted for another bill, the bill displaced by the substitution shall be considered as tabled.

39. WHEN BILL OR RESOLUTION FAILS TO RECEIVE CONSTITUTIONAL

MAJORITY. When any bill or resolution is voted upon, but fails to receive a constitutional majority, the same shall be automatically re-referred to the Committee on Calendar and Rules. Any bill so re-referred during the final seven (7) days of the session shall not be again placed on the calendar for consideration during that session unless called for by a favorable vote of two-thirds (2/3) of the members to which the House is entitled under the Constitution, in which case it shall be placed in the next available position on the calendar for a succeeding day. However, no bill or resolution may be voted on more than twice during this General Assembly.

40. MOTION TO RECONSIDER FOLLOWING FINAL PASSAGE. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member moving the reconsideration shall request that motion be entered upon the Journal, it shall be done, and such member shall have exclusive control of the motion during that day and the next succeeding day of actual session; providing the motion has been duly seconded; and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up and disposed of by any member of the House; however, no motion to reconsider a reconsideration shall be in order. No motion to reconsider shall be placed upon the Journal during the last seven (7) legislative days of any annual session.

41. NO CROWDING ABOUT CLERK'S DESK. Members shall not crowd or stand about the Clerk's desk.

42. WHO ALLOWED IN ROOMS OF CLERKS. No persons other than members and employees of the General Assembly shall be allowed in the offices of the Chief Clerk and Chief Engrossing Clerk during the period the House is in floor session.

43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of legal paper, in original and four (4) copies and the copies shall have the following statement on the cover: "I certify that the within bill (resolution) is a true copy of the original which was introduced this date.

Date

Signature."

Each bill or resolution and all copies shall be enclosed in manuscript covers and shall bear the signature(s) of the sponsor(s) on said covers and said covers shall also contain a succinct statement of the purpose or nature of said bill or resolution.

No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission of the first prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor.

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The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number. Copies shall be delivered as follows: one (1) copy to a representative of Legal Services; one (1) copy to a representative of Legislative Services; one (1) copy to a representative of the Fiscal Review Committee, and one (1) copy to the press file.

44. FILING OF BILLS FOR INTRODUCTION.

(a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.

(b) All bills for introduction shall be filed with the Chief Clerk no later than 4:00 p.m. on the day preceding the date of introduction.

(c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:

(1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.

(2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.

(3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.

45. BILLS TO BE NUMBERED. Each bill introduced shall be numbered in numerical order by the Clerk and said bill shall bear said number and be designated by said number in all future considerations of the same in the House. No bill shall be assigned a number by the Clerk or be referred by the Speaker to a committee for consideration unless it contains a title or caption; an enacting clause stating, "Be it enacted by the General Assembly of the State of Tennessee;" and language following the enacting clause purporting to state new law or to amend or repeal existing law. Further, no bill that has not been assigned a system entry code by the Office of Legal Services shall be accepted or numbered by the Office of the Chief Clerk.

46. ONE CONSIDERATION PER DAY'S SESSION. Only one (1) consideration of a bill may be had in the House in any day's session.

47. **SECOND CONSIDERATION - REFERRED TO COMMITTEE.** After the passage of a bill on second consideration, all general bills shall be referred by the Speaker to the appropriate committee.

48. **LOCAL BILLS TO COMMITTEE - WHEN.** Local bills may be referred by the Speaker to appropriate committees if, in the discretion of the Speaker, the nature and effect of said local bills shall require it. Other local bills, after having received the authorization of the local legislative delegation, shall automatically be placed on the Consent Calendar in accordance with Rule No. 50.

49. **DUTIES OF COMMITTEE ON CALENDAR AND RULES CONCERNING CALENDAR.** All bills having been considered and reported out of the standing committee to which referred shall be automatically transmitted to the Committee on Calendar and Rules without further reference by the Speaker; and no bill of general nature shall be considered for third and final passage until a written calendar, from the Committee on Calendar and Rules, giving notice of such bill, has been posted in a regular place in the House Chamber at least forty-eight (48) hours prior to such consideration. Not more than twenty-five (25) general bills shall be placed on the calendar for final consideration on any one (1) day, and this number shall include any bills carried over from previous calendars or any bills set for special order. Should the House not complete any day's calendar, all bills remaining unconsidered shall go to the top of the calendar on the next day that general bills are considered, provided that only so many of the said bills shall be carried over as will not cause the total to be considered on that day to exceed the aforesaid limit. Any bills remaining to be carried over in excess of that number shall be placed at the head of the calendar on a succeeding day or days, within the daily maximum of twenty-five (25). The foregoing maximum limitation on bills for daily consideration may be suspended by the Committee on Calendar and Rules by a two-thirds (2/3) vote of the total membership of said committee.

50. **CONSENT CALENDAR.** Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules, except for those resolutions placed on the Consent Calendar pursuant to Rule No. 17. The Consent Calendar shall be printed and posted in a regular place in the House Chamber at least seventy-two (72) hours in advance of the time for such consideration.

Any member may object in writing to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

Upon a motion for passage of the Consent Calendar pursuant to

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Rule 50, the appropriate language shall be spread in the Journal:

"all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in."

51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSING AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designee, of a standing committee which has recommended any amendment or amendments to the bill shall be present in the House, unless such sponsor or chair shall have previously indicated in writing to the Speaker permission for same to be brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is reached on the calendar, or the calendar is completed, this requirement is waived and the House may proceed to consider the bill in the absence of such sponsor, the chair or the chair's designee.

52. SUBSTITUTE SPONSOR OF BILL. Upon the death or disability requiring the absence from the House of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor, and said sponsor becomes unable to be present in the House, the Speaker may name any person favorable to said bill as sponsor.

53. RECALL OF BILL FROM COMMITTEE. Except during the organizational session, after any bill or other matter shall have been in any committee for seven (7) days, the same may be called for by two-thirds (2/3) of the members to which the body is entitled under the Constitution and placed upon the calendar of the House. Such action shall be in order only after a signed notice giving the number of the bill to be called for has been filed with and announced by the Clerk at least one (1) day prior to offering a motion to withdraw said bill from the committee in which it is held. When a bill has been recalled from a committee to which it was assigned by the Speaker or from the Committee on Calendar and Rules, it shall be placed at the top of the calendar on the next day on which general bills are considered. Should such a bill be recalled from committee in the manner provided above on the final day of a session, it shall then be placed at the foot of the calendar on that day.

54. RECALL OF BILL OR RESOLUTION FROM SENATE OR GOVERNOR. Upon motion, the House acting by the written message of the Clerk may request the return of a bill or resolution from the Senate. If a bill has been transmitted to the Governor, upon motion, the forwarding body acting by written message of the Clerk may request the return of the bill or resolution from the Governor.

55. BILL MAY BE RECOMMITTED. After commitment and report

thereof to the House, at any time before its passage, a bill may be recommitted, provided the recommitment of the bill during the last seven (7) days of a session shall prohibit further consideration of the bill during that session unless recalled under Rule 53.

56. PRECEDENCE OF SENATE BILLS. Bills coming from the Senate shall have precedence of bills in the House on the same subjects.

57. CERTIFIED BY CLERK. When a bill shall pass it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

58. BILLS TO BE EXAMINED BY CHIEF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall correct any misspelled words in such documents prior to transmission.

59. CONCURRENCE OF HOUSE IN SENATE AMENDMENTS. When a House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be called for on the concurrence in the amendment or the passage of the substituted bill and entered on the Journal of the House. No said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal. Any measure coming from the Senate with an amendment or a substitute for the House bill shall lie over one (1) day except on the final two (2) legislative days of a session.

No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the sponsor of the measure has announced that the measure has been returned from the Senate requiring further action by the House, stating what action the Senate has taken, and briefly explaining what effect the Senate action will have on the measure. This announcement shall be made on the legislative day prior to consideration of the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The Chief Clerk will see that an impact summary of the Senate action on the measure as prepared by Legislative Services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure.

60. AMENDMENTS TO BILLS. No amendment beyond the second degree shall be entertained, that is, an amendment to an amendment; and in all such cases, the vote on the respective amendments shall be had in the reverse order in which the same were made.

61. TABLING OF AMENDMENT KILLS SAME. When a motion to lay on the table an amendment, in the first or second degree, to a pending bill, resolution or other matter, prevails, it shall be a final defeat of the tabled amendment, and the further consideration of such bill, resolution, or other matter, may be at once continued.

62. NO RIDER. No amendment by way of a rider shall be received.

63. MOTION TO REJECT. When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject." If a member makes the motion to reject, that motion and the bill or resolution in question will lie over the remainder of that legislative day and the Speaker will direct the Chief Clerk to place the bill or resolution in question at the heel of the regular calendar set for the next legislative day.

When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on the motion to pass on third and final consideration (or adopt or concur), and having received a constitutional majority in the affirmative on the motion to reject, I hereby declare (document type and number) rejected under the terms set forth in Article II, Section 19, of the Constitution of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

Motions to reject shall not be in order except as provided above.

64. MOTION TO RECONSIDER EVERY BILL MUST BE ACTED UPON. The Clerk shall transmit to the Senate no bill, resolution, message, report, amendment, or motion nor shall the Chief Engrossing Clerk present any bill or resolution to the Governor for his action until the motion to reconsider shall have been acted upon and said action entered on the Journal.

65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be voting members, to wit:

- (1) Agriculture
- (2) Commerce
- (3) Conservation and Environment
- (4) Consumer and Employee Affairs
- (5) Education
- (6) Finance, Ways and Means
- (7) Government Operations
- (8) Health and Human Resources
- (9) Judiciary
- (10) State and Local Government
- (11) Transportation

Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those two (2) standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be composed of the Speaker, the Speaker Pro Tempore, the Majority Leader or such leader's designee, the Majority Caucus Chair, the Minority Leader or such leader's designee, the Minority Caucus Chair, a member of the majority and minority parties appointed by and to serve at the pleasure of the Speaker, one (1) chair, one (1) vice chair, and one (1) secretary appointed by the Speaker under House Rule 7; and the chair, vice chair, and secretary of each standing committee listed above. It shall set the calendar and establish hours and places of meeting of the various standing committees. In establishing the hours and places of meeting of the various standing committees, the Committee on Calendar and Rules shall, insofar as possible, establish regular meeting times and days which shall avoid conflict among the various standing committees. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees.

66. NO SPECIAL COMMITTEES - WHEN. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

67. MEETING OF COMMITTEES - WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair, and the time and place of meeting shall be designated at the same time and shall conform with the schedule established by the Committee on Calendar and Rules under House Rule 65. Committee meetings held on days when the House is in recess or adjourned shall be announced in open session or by written notice, furnished to each member of the

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House not less than seventy-two (72) hours prior to the meeting time. Committee meetings may be called by the Chair of the Standing Committee, upon approval by the Speaker of the House when the House is in recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee.

68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.

69. PROCEEDINGS IN COMMITTEE OF THE WHOLE. Upon a bill being committed to a Committee of the Whole, the bill shall be read throughout by the Clerk, if demanded by any member, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and the line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be debated and amended by clauses before its final passage. The rules of the House shall be observed in Committee of the Whole so far as applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

70. AMENDMENTS IN COMMITTEE OF WHOLE. All amendments made to a report committed to a Committee of the Whole shall be noted and reported, as in the case of bills.

71. AMENDMENTS IN STANDING COMMITTEES AND BILLS INITIATED BY STANDING COMMITTEES. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's designee and such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House. Bills reported out of standing committees with committee amendments cannot be considered by the Committee on Calendar and Rules unless the committee amendment is attached thereto. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk within twenty-four (24) hours from the time the bill was reported out. The preceding two (2) sentences shall not apply to the General Appropriations Bill.

No later than twenty-four (24) hours prior to the time the bill recommended for amendment is scheduled for consideration on the

floor of the House, the Chief Clerk shall cause the recommended amendment or amendments to be reproduced and a copy to be placed upon the desk of each member of the House. After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment, or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees. It shall also be the responsibility of the Chief Clerk to denote clearly that such amendment or amendments were recommended in a standing committee and to write on the face of the amendment the committee which made the recommendation and the date on which the recommendation was made.

72. FISCAL MEASURES. Any bill or resolution having a fiscal effect of \$100,000.00 or more shall be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and Rules. No bill or resolution having a fiscal effect of \$100,000.00 or more shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.

73. CONFERENCE COMMITTEES. A motion for the appointment of a conference committee shall be in writing and shall state the purpose or purposes for which the committee is created. Every conference committee report shall refer to the motion by which the committee was created and shall set forth the instructions contained therein followed by the recommendations of the committee which shall conform to such motion and its instructions. No report of a conference committee or any part thereof shall be adopted and incorporated into pending legislation unless the same shall have received the affirmative vote of a majority of the members to which the House is entitled under the Constitution and a motion to reconsider shall have been acted upon and entered on the Journal.

74. CHANGE AND SUSPENSION OF RULES. The rules of the House may be altered, amended, or suspended by a two-thirds (2/3) vote of the members to which the House is entitled; a motion to alter or amend, but not suspend, the rules shall in all cases lie over one (1) day. This rule (Rule 74) may not be suspended on motion to alter, amend, or suspend the rules. A motion to suspend the rules shall be for a stated purpose and subsequent suspension of the rules shall be limited to that stated purpose.

75. ADJOURNMENT. Adjournment shall be to the hour of 12:30 p.m. on the following day unless otherwise specified by the majority of those members present and voting. During the last two (2) weeks of a session, the House shall convene at 9:00 a.m., recess at 12:00

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noon, reconvene at 2:00 p.m., and adjourn on or before 7:00 p.m., unless otherwise specified by a two-thirds (2/3) vote of those present and voting.

76. ENTER RULINGS. The Clerk of the House shall enter on the Journal all rulings by the Speaker on points of order. The Clerk or any member may request that the Speaker submit such ruling in writing at the close of the day on which the ruling was made.

77. ACTION ON BILLS INTRODUCED AFTER 10th DAY. Any general bill introduced after the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session, shall be prefiled for introduction and referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the bill shall be introduced.

Any bill prefiled but not receiving unanimous consent of the delayed bills committee may be called for by two-thirds (2/3) majority of the members to which the body is entitled under the Constitution, in which case it shall be introduced.

The Delayed Bills Committee shall consist of the Speaker, the Majority Leader, and the Minority Leader and shall meet at the call of the Speaker.

78. VETO. Upon receipt of a veto message and return of a bill or resolution from the Governor, or a receipt of a message from the Senate advising the House that a bill or joint resolution has been passed by the Senate, the Governor's veto to the contrary notwithstanding, the Clerk shall read the message and cause the same to be spread at large upon the Journal. Thereafter, the sponsor of the bill or resolution may, upon twenty-four (24) hours typewritten notice and within three (3) legislative days after the filing of said notice, except the last legislative day of any annual session such notice shall not be required, move the House under the item of Unfinished Business to pass the bill or resolution, notwithstanding the objections of the Executive. If the motion shall prevail by a favorable vote of a majority of the members to which the House is entitled under the Constitution, the bill or joint resolution shall then be transmitted to the Senate unless the same was originally received from the Senate subsequent to its prior approval.

Nothing in this rule shall serve to prohibit the filing of subsequent notices to move the House to pass the bill or resolution, notwithstanding the objections of the Executive, if affirmative action is not taken on the motion first noticed.

79. MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN. If any question shall arise which is not provided for in these rules, the same shall be governed by Mason's Manual of Legislative Procedure (latest edition existing on date of adoption of these rules), which is hereby adopted.

COMMITTEE RULES

of the

HOUSE OF REPRESENTATIVES

80. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair and secretary, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising with the vice chair and secretary, shall set the calendar for hearings on a reasonable number of bills or resolutions at each committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee or subcommittee as soon as practicable, but not later than 3:00 p.m. (CST) on the Wednesday preceding the next regularly scheduled meeting of the standing committee. The chair, after advising with the vice chair and secretary, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if, in the opinion of such officers, a reasonable number of measures has not been set for hearing. The standing committee shall electronically transmit the committee calendar (bills to be heard) for its next regularly scheduled meeting as early as practicable but not later than 4:30 p.m. (CST) on the same day. The Clerk's office shall publish these calendars as early as possible on the day following so that the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provisions shall not apply to a bill or resolution transmitted by a standing committee to the Committee on Calendar and Rules for recommendation.

(2) Prior to any scheduled standing committee meeting, the sponsor of any bill or resolution scheduled for hearing before said standing committee may request in writing that the chair of the standing committee set another hearing date, and the bill or resolution shall be rescheduled for hearing.

No bill or resolution can be considered in a standing committee without a sponsor as reflected in the House Journal.

Should the sponsor of a bill or resolution fail to appear before the standing committee when the bill or resolution has been scheduled two (2) times for a hearing, then the bill or resolution shall be returned to the desk of the Clerk of the House. After a bill or resolution has been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken.

(3) All bills or resolutions not considered controversial in

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nature may be placed on the committee consent calendar by the chair, after advising with the vice chair and secretary, provided the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

(4) Standing committees of the House shall meet at the times and places specified in the official committee schedule adopted pursuant to House Rule 65.

(5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.

(6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be given written notice or shall direct the committee staff to make every effort to notify each member of the committee and any other members of the House likely to have business before the committee of such cancellation.

(7) A quorum shall consist of a majority of the members of a given standing committee.

(8) Committee meetings shall be open to the public at all times unless the business of the committee concerns itself with matters of national or state security or the investigation of a proposed impeachment, which, in each separate instance, shall be determined by a three-fourths (3/4) majority of the committee members present and voting.

(9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House as soon as is practicable. The amendment or amendments should be properly designated as having been recommended in committee and should be signed by the committee chair or the chair's designee

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before being presented to the Chief Clerk who shall then observe the rules of the House in causing such amendment or amendments to be printed and distributed to all members of the House. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Calendar and Rules Committee shall not consider any bill recommended by a standing committee until any amendment or amendments adopted by the standing committee have been attached to the bill. The chair shall be responsible for having such amendments delivered within twenty-four (24) hours in typewritten form to the Chief Clerk, who shall attach such amendments to the bill.

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a standing committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session. This rule shall also apply to the Committee on Calendar and Rules.

(11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.

(12) The Chief Clerk shall be responsible for the safe delivery of bills to any meeting of the committee and for their return following the meeting but may delegate such responsibility to one of the Chief Clerk's Office staff.

(13) A standing committee chair may create such continuing or ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. But there shall be no more than four standing subcommittees in each standing committee. No ad hoc committee shall have the power to kill a bill. The committee chair shall appoint members to any subcommittee so authorized and shall name the chair thereof.

A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it by the standing committee which created it. Such a

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subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet while the standing committee of which it is a part is in session without the consent of the standing committee.

If the chair of a standing committee deems it appropriate after advising with the vice chair and secretary, to assign a bill to a subcommittee, said bill must be assigned to such subcommittee within five (5) legislative days after its passage on second consideration and referral to standing committee, or following the receipt of a fiscal note if said bill is referred to the committee on finance, ways and means unless otherwise provided by law.

If the chair of a standing committee deems it appropriate, after advising with the vice chair and secretary, to assign a bill or resolution which has been referred to it after recommendation for passage by another standing committee to a subcommittee, said bill must be assigned to such subcommittee within seven (7) calendar days of its receipt.

When a bill or resolution is assigned to a subcommittee by the chair of a standing committee, the subcommittee chair, the sponsor, the chief clerk, and the director of legislative services shall be notified electronically by the chair of the assignment, of said bill, the date of assignment, and the name of the subcommittee.

The request of the sponsor for a bill or resolution to be heard by a committee or subcommittee shall be filed with the standing committee. The chair of the standing committee shall electronically notify the chair of the subcommittee that the sponsor has requested the bill or resolution to be heard. The chair of said subcommittee shall set and publish the date and the calendar of bills to be heard and shall electronically and by printed calendar notify the sponsor of bills or resolutions to be heard, the chief clerk, and the director of the office of legislative services.

The chair of the standing committee or the subcommittee shall provide copies of the calendar and electronic notice of bills to be heard to the chief clerk and the director of legislative services.

An electronic report of the action taken by a subcommittee on each bill or resolution which it considers shall be prepared by the chair of said subcommittee and submitted to the chair of the standing committee, the chief clerk, and the director of the office of legislative services.

When a bill or resolution is reported from a subcommittee, said bill or resolution shall be placed by the chair of the standing committee on the calendar of the next scheduled meeting of the standing committee unless the sponsor of said bill or resolution requests in writing that the chair of the standing committee set another hearing date.

(14) A motion to reconsider any committee action and to have the motion entered in the Journal (or records of the committee)

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shall be determined by a two-thirds (2/3) majority of the committee members, and shall not operate to give the mover possession or control of any measure for any ensuing period of time. It shall be treated as a simple motion to reconsider, and its effect shall be the same.

(15) No proxy votes shall be permitted in a standing committee for any purpose.

(16) The vote of the chair of a standing committee shall be recorded in the manner and time as any other member of the committee.

(17) If a member of a standing committee will be unable to attend said meeting, that member shall request an excused absence from the chair. If any appointed member of a standing committee is absent from two (2) regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.

(18) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.

(19) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.

(20) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.

(21) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply. Other special rules shall not be adopted by committees.

ANNOUNCEMENT

Rep. Bragg announced that no bills could be placed on notice in the Finance, Ways and Means Committee unless already accompanied by a fiscal note.

SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their name(s) as sponsor(s) as indicated below, the prime sponsor of each having agreed to such addition:

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House Bill No. 309: Rep(s) Fisher as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Resolution No. 0002 -- Naming and Designating -- Margaret Britton Vaughn, Tennessee Bard, by *Phillips.

State and Local Government Committee.

*House Joint Resolution No. 0044 -- General Assembly, Statement of Intent or Position -- Protests policy of treating non-veterans at veterans administration hospitals and medical centers. by *West.

State and Local Government Committee.

*House Joint Resolution No. 0045 -- General Assembly, Directed Studies -- Directs board for licensing health care facilities in cooperation with Health Facilities Commission and comptroller to conduct survey of ownership interests and self-referral by certain health care providers to certain health care facilities, equipment and therapy. by *Herron.

Health and Human Resources Committee.

*House Joint Resolution No. 0047 -- Memorials, Congress -- Memorializes adoption of legislation including African Americans on denomination of currency. by *Miller, *Jones U, *Jones R, *Brooks, *Dixon, Chumney, DeBerry.

State and Local Government Committee.

*House Joint Resolution No. 0048 -- Constitutional Amendments -- Proposes amendment to Article I to require that persons convicted of murder in first degree receive sentence of death. by *Joyce.

Judiciary Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were noted as being introduced and placed on the Consent Calendar for Monday, February 15, 1993:

House Resolution No. 0001 -- Memorials, Recognition and Thanks -- Black Heritage Celebration. by *Jones U, *Miller, *DeBerry, *Jones R, *Dixon, *Turner L, *Haley, *Brooks, *Thompson, Chumney, Joyce, Kernell, Byrd, Shirley, Hassell, Kent, Williams K.

House Joint Resolution No. 0043 -- Memorials, Professional

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Achievement -- Chad Wells, 1992 American Star in Agribusiness Award. by *Hillis, *Rhinehart.

House Joint Resolution No. 0046 -- Memorials, Retirement -- Serena Ellen Thompson Helms. by *Kisber, *McDaniel.

House Joint Resolution No. 0049 -- Memorials, Sports -- Jackson County High School girl's basketball team. by *Winningham.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to Rule No. 17, the following resolution(s) listed was/were noted as being placed on the Consent Calendar for Monday, February 15, 1993:

Senate Joint Resolution No. 0040 -- Memorials, Sports -- Friendship Christian football team.

Senate Joint Resolution No. 0043 -- Memorials, Public Service -- William H. Inman, service on Registry of Election Finance.

Senate Joint Resolution No. 0047 -- Memorials, Sports -- Lebanon High School football team.

Senate Joint Resolution No. 0054 -- Memorials, Death -- William David Hollings.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 0786 -- Sentencing -- Enacts "Victim Impact Statement Act." Amends TCA, Title 40. by *Halteman Harwell.

House Bill No. 0787 -- Criminal Offenses -- Creates offense of "ticket scalping" defined as selling admission ticket at price greater than standard retail price of such ticket. Amends TCA, Title 39, Ch. 17, Pt. 11. by *Chumney.

House Bill No. 0788 -- Alcoholic Beverages -- Permits sale of imported beer in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104. by *Chumney.

House Bill No. 0789 -- Ethics -- Requires annual financial disclosure report to contain date any contribution was received. Amends TCA, Title 2, Ch. 10, Pt. 1. by *Chumney.

House Bill No. 0790 -- Juvenile Offenders -- Allows child to be fingerprinted if charged with delinquent act which if committed by adult would be felony. Amends TCA, Title 37, Ch. 1, Pt. 1. by *Jones U, *Miller, *Thompson.

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House Bill No. 0791 -- Firefighters -- Extends emergency powers to fire departments in cases of hazardous materials incident or national disaster. Amends TCA, Title 6, Ch. 21, Pt. 7. by *Jones U, *Miller, *Shirley, *Dixon, Williams K.

House Bill No. 0792 -- Planning, Public -- Extends eligibility for reimbursement of excise tax for qualified businesses to be carried forward for two fiscal years under certain circumstances; reappropriates unexpended funds from enterprise zones. Amends TCA, Titles 4, 13. by *Jones U, *Miller, *Armstrong, *Jones R, *DeBerry, *Pruitt.

***House Bill No. 0793 -- Teachers --** Establishes teaching fellows program for African American males. Amends TCA, Title 49, Ch. 4. by *Jones U, *Thompson, *Dixon, *Armstrong, *DeBerry, *Jones R, *Miller.

House Bill No. 0794 -- Taxes, Amusement -- Revises certain taxes and fees imposed on coin-operated amusement devices. Amends TCA, Title 67, Ch. 4, Pt. 5. by *Bragg.

House Bill No. 0795 -- Animals -- Applies barrier systems of moats to all Class I wildlife including animals required to be kept in cages under present law. Amends TCA, Title 70, Ch. 4. by *Tindell, *Bittle, *Ritchie, *Boyer, *Severance, *Armstrong, *Peroulas Draper.

House Bill No. 0796 -- Election Laws -- Revises election law. Amends TCA, Title 2, 5-8-102, 49-2-504, 57-4-103. by *Bragg.

***House Bill No. 0797 -- Real Property --** Declares real property contract clauses which remove venue from state or federal courts located in Tennessee void against public policy if contract entered into in Tennessee and real property is located in Tennessee. by *Kisber.

House Bill No. 0798 -- Tennessee Higher Education Commission -- Allows commission to terminate on and off campus programs at state colleges and universities. Amends TCA, Title 49, Ch. 7, Pt. 2. by *Davidson.

House Bill No. 0799 -- Wildlife Resources Commission -- Adds two members to be appointed by speakers of the senate and house, such members may serve successive terms. Amends TCA 70-1-201, 204. by *Hillis, *Cross, *Rhinehart, *Ridgeway, *Rinks, *Ferguson, *Armstrong.

House Bill No. 0800 -- Alcoholic Beverages -- Expands definition of "premiere type tourist resort" relative to liquor by the drink laws. Amends TCA 57-4-102. by *Armstrong.

House Bill No. 0801 -- Crime, Victims of -- Enacts "Crime Victims Compensation from the Profits of the Crime Act of 1993". Repeals TCA, Title 29, Ch. 13, Pt. 2. by *Boyer.

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***House Bill No. 0802 -- Taxes -- Enacts "Tax Reform Act".** Amends TCA, Title 67, 67-6-202--205, 217, 221, 67-6-334, 67-6-702. by *Bragg.

House Bill No. 0803 -- Taxes, Privilege -- Modifies certain procedures pertaining to collection, enforcement, and allocation of revenues generated by services tax act. Amends TCA, Title 33, Ch. 2; Titles 63, 67; Title 68, Ch. 11; Title 71, Ch. 5. by *Givens, *Coffey, *Walley, *Johnson.

House Bill No. 0804 -- County Officers -- Revises population bracket for subclass A and subclass B of counties of third class. Amends TCA, Title 8, Ch. 24. by *West.

***House Bill No. 0805 -- Water Pollution and Water Resources --** Gives local governments, rather than municipalities, having wastewater facility of 900 customers right not to include depreciation on assets acquired with grant funds in determining whether facility has retained earnings or operating deficit. Amends TCA 68-221-1010. by *Pinion.

***House Bill No. 0806 -- Highway Signs --** "James Herbert Rice, Sr. Memorial Bridge," U.S. 412 Overpass, Dyer County. by *Cole Ronnie.

House Bill No. 0807 -- Alcoholic Beverages -- Defines a Class B county for the purposes of a permit for intoxicating liquors. Amends TCA 57-5-104. by *Severance.

House Bill No. 0808 -- Local Education Agency -- Limits alternative schools for suspended or expelled students to grades 7-12. Amends TCA, Title 49. by *Shirley.

House Bill No. 0809 -- Annexation -- Authorizes counties having charter form of government to provide charter provision to restrict municipalities from annexing territory in certain circumstances. Amends TCA, Title 6, Ch. 51. by *Shirley.

House Bill No. 0810 -- Pardons and Paroles -- Abolishes parole for persons committing offenses on or after July 1, 1993. Amends TCA, Title 40, Ch. 28. by *Shirley, *Haley.

House Bill No. 0811 -- Taxes, Income -- Repeals Hall income tax. Repeals TCA, Title 67, Ch. 2. by *Shirley.

House Bill No. 0812 -- Taxes, Business -- Repeals Business Tax Act. Amends TCA, Title 67, Ch. 4, Pt. 7. by *Shirley.

House Bill No. 0813 -- Criminal Offenses -- Increases penalty for hit and run offenders. Amends TCA, Title 55, Ch. 10, Pt. 1. by *Shirley.

House Bill No. 0814 -- Courts -- Directs the Tennessee Supreme Court to prohibit the use of Latin in Tennessee court proceedings. by *Shirley.

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***House Bill No. 0815** -- Traffic Safety -- Requires state and local law enforcement authorities to investigate and prepare report on traffic accidents that occur on premises generally frequented by public. Amends TCA, Title 55, Ch. 10. by *Shirley.

House Bill No. 0816 -- Criminal Procedure -- Requires judge to instruct jury as to minimum number of years person sentenced for a criminal offense must serve before becoming parole eligible; requires department of correction to provide such calculation to judge. Amends TCA 40-35-201. by *Shirley.

House Bill No. 0817 -- Jefferson County -- Repeals act prohibiting sale of fireworks. Repeals Chapter 592, Private Acts of 1947, as amended. by *Davis Ronnie, *Huskey.

***House Bill No. 0818** -- Salaries and Benefits -- Authorizes teachers in Cocke County, upon approval of trustees of sick leave bank, to elect to participate at any time during the 1992-1993 school year and to receive grants of sick leave immediately upon expiration of teacher's sick and personal leave. Amends TCA, Title 49, Ch. 5, Pt. 8. by *Davis Ronnie.

House Bill No. 0819 -- Sentencing -- Increases penalty for fraudulently obtaining benefits or payments for medical assistance under medicaid program from Class E to Class C felony. Amends TCA, Titles 38, 39, 71. by *Herron.

***House Bill No. 0820** -- Medicare and Medicaid -- Enacts "Tennessee Medicaid False Claims Act". by *Herron.

House Bill No. 0821 -- Insurance, Health, Accident -- Enacts "Tennessee Health Care False Claims Act". by *Herron.

House Bill No. 0822 -- Boards and Commissions -- Requires governor to appoint one citizen member to each health related board which does not have citizen member; term shall be same as other members of board to which such person appointed. Amends TCA, Title 63. by *Herron.

House Bill No. 0823 -- Insurance, Health, Accident -- Requires commissioner of commerce and insurance to develop and implement standardized forms for exclusive use by claimants when making claims against any health care insurance policy in effect in state. Amends TCA, Title 56. by *Herron.

House Bill No. 0824 -- Insurance, Health, Accident -- Requires certain insurance policies to include incentives and disincentives related to healthy lifestyle behaviors. Amends TCA, Title 56. by *Herron.

House Bill No. 0825 -- Medicare and Medicaid -- Requires registration of each item of major medical equipment, cost of which exceeds \$500,000 and for which certificate of need is not required with health facilities commission. Amends TCA 68-11-106. by *Herron.

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House Bill No. 0826 -- Physicians and Surgeons -- Requires University of Tennessee and East Tennessee State University to develop and implement plan to encourage graduates of their colleges of medicine to pursue careers in primary care or family practice medicine. Amends TCA, Title 49. by *Herron.

House Bill No. 0827 -- State Government -- Enacts "Tennessee False Claims Act". by *Herron.

House Bill No. 0828 -- Crime, Victims of -- Enacts "Uniform Victims of Crime Act". Amends TCA, Title 40, Ch. 38, Pt. 1. Repeals TCA, Title 29, Ch. 13, Pt. 1. by *Herron.

House Bill No. 0829 -- Crime, Victims of -- Enacts "Victim Compensation from the Proceeds of the Crime Act of 1993". Repeals TCA, Title 29, Ch. 13, Pt. 2. by *Herron.

House Bill No. 0830 -- Sentencing -- Prohibits parole eligibility review board from reviewing sentence of habitual offender whose triggering offense was violent. Amends TCA, Title 40, Ch. 35, Pt. 6. by *Herron, *Fisher, *Byrd.

House Bill No. 0831 -- Sexual Offenses -- Makes clear that unlawful sexual contact with victim less than 13 years of age constitutes offense of aggravated sexual battery. Amends TCA 39-13-504. by *Herron.

***House Bill No. 0832 -- DUI/DWI Offenses --** Provides that driver 16 or older but less than 21 presumed to be driving under influence of intoxicant in violation of TCA 55-10-401 if such driver's BAC is .04 percent or greater. Amends TCA 55-10-408. by *Herron, *Byrd.

House Bill No. 0833 -- Boards and Commissions -- Requires governor to appoint one citizen member to each board or commission which does not have such member if governor has authority by law to make appointments; term shall be same as other members of board or commission to which such person appointed. by *Herron.

House Bill No. 0834 -- DUI/DWI Offenses -- Makes BAC of .02 percent sufficient to constitute violation of DUI statute if defendant has two or more DUI convictions within three years prior to date of instant offense. Amends TCA 55-10-408. by *Herron, *Ritchie, *Peroulas Draper.

House Bill No. 0835 -- DUI/DWI Offenses -- Establishes DUI per se offense. Amends TCA, Title 55, Ch. 10. by *Herron, *Peroulas Draper.

House Bill No. 0836 -- Workers' Compensation -- Increases from \$500 to \$600 fine for employer causing compensable claim to be paid by insurance. Amends TCA, Title 50, Ch. 6. by *Anderson.

House Bill No. 0837 -- Criminal Offenses -- Adds aggravated child abuse to felony murder; expands definition of "aggravated child abuse". Amends TCA, Title 39, Chs. 13, 15. by *Walley, *Ritchie.

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House Bill No. 0838 -- Veterans -- Expands membership of World War II Tennessee Maneuvers Commission from seven to nine members; establishes prospective instate residency requirements for members. Amends TCA, Title 4, Ch. 11, Pt. 4. by *Hillis, *Rhinehart, *Cole Ralph, *Bell, *Pinion, *Stulce, *Anderson, *Cross.

House Bill No. 0839 -- Bond Issues -- Authorizes \$6 million revenue bond issue to build golf course at Cumberland Mountain State Park. by *Hillis, *Duer.

House Bill No. 0840 -- Highway Signs -- East, Middle and West Tennessee Veterans Cemeteries, I-40 and I-240. by *Hillis, *Cole Ralph, *Bell, *Pinion, *Stulce, *Anderson, *Cross.

House Bill No. 0841 -- Veterans -- Revises eligibility of spouses and surviving spouses of certain veterans to receive preference points on career service examinations. Amends TCA 8-30-306. by *Hillis, *Cole Ralph, *Bell, *Pinion, *Stulce, *Anderson.

House Bill No. 0842 -- Game and Fish Laws -- Defines "watchable wildlife"; creates Watchable Wildlife Endowment Fund. Amends TCA 70-8-103, 110. by *Hillis, *Wix, *Stulce, *Severance, *Odom, *Cross, *Bittle, *Kernell, *Pinion, *Bell.

House Bill No. 0843 -- DUI/DWI Offenses -- Increases fines for DUI convictions; dedicates funds from such increase to increased education and treatment of DUI offenders. Amends TCA, Title 55, Ch. 10. by *Peroulas Draper, *Boyer, *Halteman Harwell, *Ritchie, *Walley.

House Bill No. 0844 -- Motor Vehicles -- Authorizes correction of abstracts of motor vehicle violations in event of inaccurate, false or incorrect information; establishes penalties for intentionally preparing false or incorrect abstract. Amends TCA, Title 55, Ch. 10. by *Peroulas Draper, *Boyer, *Ritchie.

House Bill No. 0845 -- Abortion -- Eliminates residency requirement for women seeking abortion; eliminates requirement that physician inform woman that abortion in some cases constitutes major surgery. Amends TCA, Title 39, Ch. 15, Pt. 2. by *Odom.

House Bill No. 0846 -- Municipal Government -- Allows municipalities to collect costs against landowners through filings of actions for debt. Amends TCA 6-54-113, 13-21-103. by *Love, *West, *Arriola, *Pruitt, *Odom.

House Bill No. 0847 -- Medical Occupations -- Requires board of medical examiners to certify as a physician assistant an individual licensed in another state who has practiced for ten consecutive years in that state prior to seeking certification in Tennessee. Amends TCA 63-19-105. by *Bell.

House Bill No. 0848 -- Water Pollution and Water Resources -- Extends newspaper notice from two to three weeks for establishment

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of water and wastewater treatment authority. Amends TCA, Title 68, Ch. 221, Pt. 6. by *Bell.

House Bill No. 0849 -- Limitation of Actions -- Extends present limitation of prosecution for child sexual abuse to child abuse and neglect and aggravated child abuse; action may be commenced no later than child attaining age of majority or within four years of commission of offense, whichever occurs later. Amends TCA 40-2-101. by *Walley, *Peroulas Draper.

House Bill No. 0850 -- Budget Procedures -- Specifies, in detail, information to be provided to county or city legislative bodies by school systems under their jurisdiction in conjunction with budget requests. Amends TCA, Title 49, Ch. 2. by *Buck, *Crain, *Pinion, *Moore.

House Bill No. 0851 -- Budget Procedures -- Clarifies powers of county executive with respect to certain budget procedures. Amends TCA, Title 5, Ch. 6. by *Crain, *Whitson.

House Bill No. 0852 -- Bond Issues -- Authorizes \$20,820,000 bond issue to construct and renovate facility for UT College of Law. by *Crain, *Rhinehart.

House Bill No. 0853 -- Appropriations -- Appropriates \$200,000 for preplanning new facility for UT College of Law. by *Crain, *Rhinehart.

House Bill No. 0854 -- Criminal Procedure -- Prohibits court in contested criminal cases from charging jury as to range of punishment or penalties for offense charged or lesser included offenses. Amends TCA 40-35-201. by *Duer, *Halteman Harwell.

House Bill No. 0855 -- Insurance, Health, Accident -- Increases from four to five years time period during which members whose assessments are abated remain liable to comprehensive health care pool. Amends TCA, Title 56, Ch. 39. by *Duer.

House Bill No. 0856 -- Optometry -- Reduces civil penalty from \$1,000 to \$500 for optometrists who violate licensing standards. Amends TCA, Title 63, Ch. 8. by *Duer.

House Bill No. 0857 -- Search & Seizure -- Prohibits law enforcement officers from conducting body cavity searches unless done in accordance with search warrant; creates civil cause of action for unlawful searches. Amends TCA, Title 40, Ch. 7, Pt. 1. by *Duer, *Ritchie, *Stamps.

House Bill No. 0858 -- Pensions and Retirement Benefits -- Removes 75 percent of compensation limit on pension payments to Class B retired employees. Amends TCA, Title 8, Chs. 34, 36. by *Cole Ralph, *Kent, *Westmoreland, *Venable, *Pinion, *Hillis, *Bell, *Wix, *Whitson.

House Bill No. 0859 -- Advertising -- Prohibits misleading

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advertising of available financing that does not disclose that payments are not uniform or number of payments to be made. Amends TCA, Title 47, Ch. 18; Title 55, Ch. 17. by *Moore, *Lewis.

House Bill No. 0860 -- Taxes -- Removes sales tax exemption from advertising. Amends TCA, Title 67, Chs. 4, 6. by *Moore.

House Bill No. 0861 -- Alcoholic Beverages -- Increases from \$100 to \$200 beer permit application fee which may be imposed by local government. Amends TCA, Title 57, Ch. 5, Pt. 1. by *Moore, *Pinion.

House Bill No. 0862 -- Solid Waste Disposal -- Applies core drilling notice requirement for solid waste landfills to be given statewide; increases notice period from 30 to 45 days. Amends TCA, Title 68, Ch. 211. by *Moore, *Lewis, *Rigsby.

House Bill No. 0863 -- Solid Waste Disposal -- Requires referendum prior to approving certain landfills and landfill modifications. Amends TCA, Title 68, Ch. 211. by *Moore.

House Bill No. 0864 -- Taxes, Tobacco, Tobacco Products -- Increases tax on cigarettes and tobacco products 1 cent; earmarks increase for rural fire departments. Amends TCA, Title 67, Ch. 4, Pt. 10. by *Moore, *Lewis.

House Bill No. 0865 -- Solid Waste Disposal -- Prohibits solid waste landfill within five miles of Shoal Creek in Lawrence County. Amends TCA, Title 68, Ch. 211. by *Moore.

House Bill No. 0866 -- Taxes -- Authorizes investment tax credit of 5 percent of purchase price for investments made by Tennessee industries and businesses. Amends TCA, Title 67, Ch. 4, Pt. 8. by *Moore.

House Bill No. 0867 -- Retail Installment Sales -- Authorizes reduction in time price differential rate. Amends TCA, Title 47, Ch. 11. by *Moore, *Turner B, *Whitson, *Johnson, *Lewis, *Jackson.

House Bill No. 0868 -- Highway Signs -- Redesignates "Lawrenceburg-Henryville Road" as "Henryville Road". by *Moore.

House Bill No. 0869 -- Traffic Safety -- Requires horse drawn vehicles used on highways to be equipped with strobe light on top. Amends TCA, Title 55, Ch. 9, Pt. 4. by *Moore.

House Bill No. 0870 -- Wayne County -- Increases severance tax on pulpwood from 15 to 30 cents per ton. Amends Chapter 61, Private Acts of 1989. by *Moore.

House Bill No. 0871 -- DUI/DWI Offenses -- Makes it an offense for a person charged with an offense involving alcohol or drug use to carry firearm in vehicle. Amends TCA 65-15-122, 106. by *Moore, *Johnson.

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House Bill No. 0872 -- Human Services, Dept. of -- Authorizes Tennessee Task Force Against Domestic Violence to nominate candidates for Advisory Committee on Family Violence Shelters and Child Abuse Prevention Services; prohibits employee or board member of agency receiving state funding serving on advisory committee. Amends TCA 71-6-203. by *Moore, *Odom, *Turner B.

House Bill No. 0873 -- Taxes, Inheritance Gift -- Abolishes distinction between Class A and Class B donees in gift taxes; establishes exemption in accordance with federal law; sets new tax rates for gifts, regardless of class of donee. Amends TCA, Title 67, Ch. 8. by *Callicott, *Meyer, *Westmoreland.

House Bill No. 0874 -- Taxes, Excise -- Enacts "Tennessee Controlled Substance and Counterfeit Controlled Substance Excise Act of 1993". Amends TCA, Title 67, Ch. 4. by *Haltzman Marwell, *Joyce.

House Bill No. 0875 -- General Assembly -- Restricts use of postage and mailing allowance by members. Amends TCA 3-1-106. by *Joyce.

House Bill No. 0876 -- General Assembly -- Revises and clarifies circumstances under which members are paid for expenses incurred while performing duties of office. Amends TCA 3-1-106. by *Joyce.

House Bill No. 0877 -- Loan Companies -- Authorizes loans secured by real property to be closed at attorneys' office or title insurance company or agency licensed in Tennessee, so long as located in Tennessee and within 100 miles of registered office of registrant making loan. Amends TCA 45-5-103. by *Moore, *Severance, *Haun, *Head.

House Bill No. 0878 -- Loan Companies -- Authorizes industrial loan and thrift companies to accept as additional collateral insurance for involuntary unemployment. Amends TCA 45-5-301, 305. by *Kisber, *Head, *Severance, *Moore, *Haun.

House Bill No. 0879 -- Bond Issues -- Authorizes \$3 million for marina at Pickwick State Park. by *Rinks.

House Bill No. 0880 -- Claims Commission, Tennessee -- Extends term of office for commissioners of claims commission to eight years. Amends TCA, Title 9, Ch. 8, Pt. 3. by *Purcell, *Cole Ralph, *Whitson, *Kisber, *Givens, *Herron, *Buck, *Hargrove, *Fowlkes, *Head.

House Bill No. 0881 -- Appropriations -- Appropriates \$50,000 to Tennessee Commission on Commemoration of the Holocaust to fund specific educational programs. by *Kisber.

House Bill No. 0882 -- Consumer Protection -- Enacts "Consumer Advocate Act". by *Kisber, *Peroulas Draper, *Bragg.

***House Bill No. 0883 -- Drugs --** Exempts conveyances from

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forfeiture relative to narcotic drugs and drug control for violation of misdemeanor involving simple possession or casual exchange of illegal drugs. Amends TCA 53-11-451. by *Fisher.

***House Bill No. 0884** -- Coon Dog Laws -- Extends chasing season in East Tennessee from six to ten months; provides that taking season be same in Middle and East Tennessee. Amends TCA 70-4-112. by *Fisher.

House Bill No. 0885 -- Pardons and Paroles -- Enacts "Open Parole Hearings Act". Amends TCA 40-28-107. by *Peroulas Draper, *Joyce, *Westmoreland, *Walley, *Halteman Harwell.

House Bill No. 0886 -- Taxes, Privilege -- Exempts persons earning less than \$18,000 from occupational privilege tax; commissioner of revenue to design form to claim exemption. Amends TCA, Title 67, Ch. 4, Pt. 17. by *Meyer, *Ritchie, *Boyer, *Armstrong.

House Bill No. 0887 -- DUI/DWI Offenses -- Makes vehicles used in third or subsequent violation of DUI law subject to seizure and forfeiture in same administrative manner as provided by law for vehicles used in violation of drug laws. Amends TCA, Title 55, Ch. 10, Pt. 4. by *Ritchie, *Peroulas Draper, *Tindell, *Boyer, *Liles, *Owenby, *Knight.

House Bill No. 0888 -- Motor Vehicles -- Directs department of safety to promulgate uniform traffic citation forms for use by all law enforcement officers. Amends TCA, Title 55, Ch. 10. by *Ritchie, *Joyce, *Westmoreland.

House Bill No. 0889 -- Election Laws -- Permits person to present rejection of voter registration by mail notice to registrar up to 14 days prior to election rather than 24 days. Amends TCA 2-2-109. by *Ritchie, *Joyce, *Armstrong.

House Bill No. 0890 -- Probate Law -- Enacts "Tennessee Uniform Statutory Rule Against Perpetuities". by *Ritchie, *Fowlkes.

House Bill No. 0891 -- Campaigns -- Restricts time of campaign fundraising by state constitutional officers. Amends TCA, Title 8, Chs. 3--5. by *Ritchie.

House Bill No. 0892 -- Handicapped Persons -- Raises fine from \$50.00 to \$100 for parking in handicapped parking space. Amends TCA 55-21-108. by *Peroulas Draper.

House Bill No. 0893 -- Municipal Government -- Authorizes the charge of a reasonable fee for copying of public records relative to a quo warranto suit. Amends TCA 6-51-103. by *Armstrong.

House Bill No. 0894 -- Taxes, Real Property -- Directs that counties with populations below 500,000 will be wholly responsible for sharable and nonsharable costs of reappraisal of properties

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instead of sharing costs with cities. Amends TCA 67-5-1601. by *Tindell, *Peroulas Draper.

House Bill No. 0895 -- Unemployment Compensation -- Authorizes nonprofessional educational employees to collect unemployment compensation during interim between school sessions. Amends TCA, Title 50, Ch. 7, Pt. 3. by *Winningham, *Cross.

House Bill No. 0896 -- Welfare -- Requires person applying for and receiving AFDC to provide name of putative father; failure to disclose may result in ineligibility and loss of support. Amends TCA, Title 71, Ch. 3. by *Winningham.

House Bill No. 0897 -- Veterans -- Authorizes motor vehicle registration fee exemption for holders of purple heart. Amends TCA 55-4-239. by *Winningham, *Cross.

House Bill No. 0898 -- Economic and Community Development -- Enacts "Tennessee Industrial Securities Assistance Act of 1993". Amends TCA, Title 4, Ch. 31. by *Winningham, *Cross.

House Bill No. 0899 -- Constitutional Conventions -- Proposes amendment to Article XI, relative to initiative and referendum. by *Joyce, *Meyer, *Ritchie.

***House Bill No. 0900 -- Courts, Juvenile --** Increases allocation of juvenile court supplements administered by commission on children and youth in counties with more than one juvenile court. Amends TCA 37-1-162. by *Westmoreland, *Ramsey, *Venable.

***House Bill No. 0901 -- Lawrence County --** Levies a tax on pulpwood in Lawrence County; proceeds go to Lawrence County Tomorrow Project Fund. by *Moore.

***House Bill No. 0902 -- Bond Issues --** Authorizes \$424,800,000 bond issue to fund state projects. by *Purcell, *Bragg, *Naifeh, *DeBerry, *Ridgeway, *Hargrove, *Crain, *Ferguson, *Kisber, *Head.

***House Bill No. 0903 -- Appropriations --** Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1993. by *Purcell, *Bragg, *Naifeh, *DeBerry, *Ridgeway, *Hargrove, *Crain, *Ferguson, *Kisber, *Head.

***House Bill No. 0904 -- Appropriations --** Authorizes growth in state appropriations which exceed rate of growth of economy for 1993-1994 fiscal year. by *Purcell, *Bragg, *Naifeh, *DeBerry, *Ridgeway, *Hargrove, *Crain, *Ferguson, *Kisber, *Head.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

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***House Bill No. 0733 -- Highway Signs -- Transportation Committee.**

House Bill No. 0734 -- Professions and Occupations -- Commerce Committee.

House Bill No. 0735 -- Taxes, Assessment -- Finance, Ways and Means Committee.

House Bill No. 0736 -- Taxes, Sales -- Finance, Ways and Means Committee.

House Bill No. 0737 -- Real Estate Agents and Brokers -- Commerce Committee.

House Bill No. 0738 -- Firefighters -- Commerce Committee.

House Bill No. 0739 -- County Boundaries -- State and Local Government Committee.

House Bill No. 0740 -- Local Education Agency -- Education Committee.

House Bill No. 0741 -- Education -- Education Committee.

House Bill No. 0742 -- Jails, Local Lock-ups -- State and Local Government Committee.

House Bill No. 0743 -- Highway Signs -- Transportation Committee.

House Bill No. 0744 -- Solid Waste Disposal -- State and Local Government Committee.

House Bill No. 0745 -- Annexation -- State and Local Government Committee.

House Bill No. 0746 -- Tort Liability -- Judiciary Committee.

House Bill No. 0747 -- Workers' Compensation -- Consumer and Employee Affairs Committee.

House Bill No. 0748 -- Courts -- Judiciary Committee.

House Bill No. 0749 -- Privacy, Confidentiality -- Judiciary Committee.

House Bill No. 0750 -- Election Laws -- State and Local Government Committee.

House Bill No. 0751 -- Hospitals and Health Care Facilities -- Health and Human Resources Committee.

House Bill No. 0752 -- Hospitals and Health Care Facilities -- Health and Human Resources Committee.

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House Bill No. 0753 -- Election Laws -- State and Local Government Committee.

House Bill No. 0754 -- Election Laws -- State and Local Government Committee.

House Bill No. 0755 -- Divorce and Annulment -- Judiciary Committee.

House Bill No. 0756 -- Athletic Trainers -- Health and Human Resources Committee.

House Bill No. 0757 -- Taxes, Privilege -- Health and Human Resources Committee.

House Bill No. 0758 -- Health, Dept. of -- Health and Human Resources Committee.

House Bill No. 0759 -- Financial Disclosure -- State and Local Government Committee.

House Bill No. 0760 -- District Attorneys -- Judiciary Committee.

House Bill No. 0761 -- Agriculture -- Transportation Committee.

House Bill No. 0762 -- Criminal Offenses -- Judiciary Committee.

***House Bill No. 0763 -- Public Service Commission -- State and Local Government Committee.**

House Bill No. 0764 -- Capital Punishment -- Judiciary Committee.

House Bill No. 0765 -- Highway Signs -- Transportation Committee.

House Bill No. 0766 -- Highways, Roads and Bridges -- Transportation Committee.

House Bill No. 0767 -- Highway Signs -- Transportation Committee.

House Bill No. 0768 -- Teachers -- Education Committee.

House Bill No. 0769 -- Weights and Measures -- Agriculture Committee.

House Bill No. 0770 -- Forest and Forest Products -- Conservation and Environment Committee.

House Bill No. 0771 -- Licenses -- Commerce Committee.

House Bill No. 0772 -- Physicians and Surgeons -- Health and Human Resources Committee.

House Bill No. 0773 -- Election Laws -- State and Local Government Committee.

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House Bill No. 0774 -- Election Laws -- State and Local Government Committee.

House Bill No. 0775 -- Apportionment, Legislative -- State and Local Government Committee.

House Bill No. 0776 -- Apportionment, Legislative -- State and Local Government Committee.

House Bill No. 0777 -- Districting, Congressional -- State and Local Government Committee.

House Bill No. 0778 -- Taxes, Sales -- Finance, Ways and Means Committee.

House Bill No. 0779 -- County Government -- State and Local Government Committee.

House Bill No. 0780 -- Budget Procedures -- State and Local Government Committee.

House Bill No. 0781 -- Taxes, Sales -- Finance, Ways and Means Committee.

House Bill No. 0782 -- Motor Vehicles, Titling and Registration -- Transportation Committee.

House Bill No. 0783 -- Credit Unions -- Commerce Committee.

House Bill No. 0784 -- Criminal Offenses -- Judiciary Committee.

House Bill No. 0785 -- Education, Higher -- Education Committee.

MESSAGE FROM THE SENATE

February 11, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 8; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 11, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 15 and 42; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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REPORT OF CHIEF ENGROSSING CLERK
February 11, 1993

The following bills have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 15 and 42.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 11, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 47, 110, 137, 143, 149 and 270; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED
February 11, 1993

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 8.

MESSAGE FROM THE SENATE
February 11, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 40; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 11, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 57; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0057 -- Naming and Designating -- Designates February 14-20, 1993 as "Vocational Education Week" in Tennessee. by *Haynes.

MESSAGE FROM THE SENATE
February 11, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 16, 56 and 61; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, FEBRUARY 11, 1993 -- SEVENTH LEGISLATIVE DAY

*Senate Bill No. 0016 -- Sentencing -- Allows court to sentence offenders to perform public service work for municipalities; grants municipalities exercising due care immunity from liability for injuries or damage occurring during such public service work. Amends TCA, Title 41, Ch. 3, Pt. 1. by *Cooper, *McKnight.

Senate Bill No. 0056 -- Taxes, Sales -- Exempts periodicals printed entirely on newsprint or bond paper and distributed on biweekly or more frequent basis from sales and use tax. Amends TCA 67-6-329. by *Wallace, *Crowe.

*Senate Bill No. 0061 -- Local Government, General -- Removes provision allowing members of governing body of county or city to serve as court reporter in any county or city proceedings. Repeals TCA 12-4-117. by *Rochelle.

ENROLLED BILLS
February 11, 1993

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 47, 110, 137, 143, 149 and 270; also, House Joint Resolution(s) No(s). 40.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 11, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 47, 110, 137, 143, 149 and 270; also, House Joint Resolution(s) No(s). 40.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odum, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley,

THURSDAY, FEBRUARY 11, 1993 -- SEVENTH LEGISLATIVE DAY

Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, February 15, 1993.